

Claim Amendments

The following listing of claims replaces all prior versions of claims in the application.

1. (Original) A wall fastener for use between a stud wall and a mounting track, and configured to support first and second wall cladding material members relative to each other to provide a continuous wall cladding material structure between the stud wall and the mounting track, the mounting track having side walls with an inside surface and an outside surface, the fastener comprising:

a first portion having first and second opposed primary surfaces and first and second sides, the first portion being secured to the mounting track with the first primary surface facing the mounting track and the second primary surface facing the first wall cladding material member;

a second portion having a third primary surface that extends parallel to the first portion and is offset from the second primary surface a predetermined distance, the second portion being secured to the second wall cladding material member with the third primary surface facing the second wall cladding material member thereby supporting the second wall cladding material member in engagement with the first wall cladding material member; and

a first fastening structure secured to the first side of the first portion, the first fastening structure slidably engaging the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

2. (Original) The wall fastener of claim 1, wherein the first wall cladding material member is secured to the stud wall and not secured to the wall fastener, and the second wall cladding material member is secured only to the second portion.

3. (Currently Amended) The wall fastener of claim 2, wherein ~~the~~ a primary wall member is secured to the plurality of studs, and the first portion is movably positioned between the primary wall member and one of the studs.

4. (Currently Amended) The wall fastener of claim 1, wherein [[the]] a secondary wall member is secured to the second portion so as to be overlapping with the primary wall member and movable relative to the primary wall member.

5. (Original) The wall fastener of claim 1, wherein the first portion includes an aperture formed therein, the aperture being sized to receive a fastener for securing the first portion to the mounting track.

6. (Original) The wall fastener of claim 2, wherein the first fastening structure includes a wrap around structure configured to engage a flange of the stud.

7. (Original) The wall fastener of claim 1, further comprising a second fastening structure secured to the second side of the first portion, the second fastening structure being configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the wall.

8. (Original) The wall fastener of claim 7, wherein the stud wall includes a stud that includes first and second sides, and the first fastening structure is configured to engage the first side of the stud and the second fastening structure is configured to engage the second side of the stud.

9. (Original) The wall fastener of claim 7, wherein the stud wall includes a stud having a thickness measured in a direction perpendicular to a plane defined by the first primary surface, and the first portion of the fastener has a width greater than the thickness of the stud, whereby the first portion is secured to the mounting track at a location on the first portion offset from alignment with the stud.

10. (Original) The wall fastener of claim 1, further comprising a third portion extending between the first and second portions to secure the first and second portions together.

11. (Original) The wall fastener of claim 10, further comprising a fourth portion secured to the second portion and extending from the second portion toward the first portion, the fourth portion including a surface that extends in the same plane as the first surface.

12. (Original) The wall fastener of claim 1, wherein the wall fastener comprises a single unitary piece of material.

13. (Original) The wall fastener of claim 1, wherein the first portion further includes a first track retaining member for engaging the inside surface and the outside surface of mounting track.

Claims 14 – 32 (Canceled).

33. (Previously Presented) A wall fastener for use between a stud wall and a mounting track, and configured to support first and second wall cladding material members relative to each other to provide a continuous wall cladding material structure between the stud wall and the mounting track, the mounting track having side walls with an inside surface and an outside surface, the fastener comprising:

a first portion having first and second opposed primary surfaces and first and second sides, the first portion being secured to the mounting track with the first primary surface facing the mounting track and the second primary surface facing the first wall cladding material member; and

a second portion having a third primary surface that extends parallel to the first portion and is offset from the second primary surface of a predetermined distance, the second portion being secured to the second wall cladding material member with the third primary surface facing the second wall cladding material member thereby supporting the second wall cladding material member in engagement with the first wall cladding material member.

34. (Previously Presented) The wall fastener of claim 33, comprising a third portion extending between the first and second portions to secure the first and second portions together.

35. (Previously Presented) The wall fastener of claim 34, comprising a fourth portion secured to the second portion and extending from the second portion toward the first portion.

36. (Previously Presented) The wall fastener of claim 35, wherein the fourth portion comprises a contact member extending in a direction parallel to, and in the same plane as, the first primary surface and configured to contact the mounting track.

37. (Previously Presented) The wall fastener of claim 34, comprising a first fastening structure secured to the first side of the first portion, the first fastening structure

configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

38. (Previously Presented) The wall fastener of claim 37, comprising a second fastening structure secured to the second side of the first portion, the second fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the wall.

39. (Previously Presented) The wall fastener of claim 37, comprising a wrap around structure on the first fastening structure configured to engage a flange of the stud.

40. (Previously Presented) The wall fastener of claim 38, comprising a wrap around structure on the second fastening structure configured to engage a flange of the stud.

41. (Previously Presented) The wall fastener of claim 37, comprising a first track retaining member engaging the inside surface and the outside surface of the mounting track.

42. (Previously Presented) The wall fastener of claim 38, comprising a second track retaining member engaging the inside surface and the outside surface of the mounting track.

43. (Previously Presented) The wall fastener of claim 35, comprising a first track retaining member engaging the inside surface and the outside surface of the mounting track.

44. (Previously Presented) The wall fastener of claim 43, comprising a second track retaining member engaging the inside surface and the outside surface of the mounting track.

45. (Previously Presented) The wall fastener of claim 36, comprising a first track retaining member engaging the inside surface and the outside surface of the mounting track.

46. (Previously Presented) The wall fastener of claim 45, the fastener also comprising a second track retaining member engaging the inside surface and the outside surface of the mounting track.

47. (Previously Presented) The wall fastener of claim 36, comprising a first fastening structure secured to the first side of the first portion, the first fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

48. (Previously Presented) The wall fastener of claim 47, further comprising a second fastening structure secured to the second side of the first portion, the second fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the wall.

49. (Previously Presented) The wall fastener of claim 47, wherein the first fastening structure includes a wrap around structure configured to engage a flange of the stud.

50. (Previously Presented) The wall fastener of claim 48, wherein the second fastening structure includes a wrap around structure configured to engage a flange of the stud.

51. (Previously Presented) The wall fastener of claim 34, wherein the first wall cladding material member is secured to the stud wall and not secured to the wall fastener, and the second wall cladding material member is secured only to the second portion.

52. (Currently Amended) The wall fastener of claim 51, wherein [[the]] a primary wall member is secured to the plurality of studs, and the first portion is movably positioned between the primary wall member and one of the studs.

53. (Currently Amended) The wall fastener of claim 34, wherein [[the]] a secondary wall member is secured to the second portion so as to be overlapping with the primary wall member and movable relative to the primary wall member.

54. (Previously Presented) The wall fastener of claim 34, wherein the first portion includes an aperture formed therein, the aperture being sized to receive a fastener for securing the first portion to the mounting track.

55. (Previously Presented) The wall fastener of claim 38, wherein the stud wall includes a stud that includes first and second sides, and the first fastening structure is configured to engage the first side of the stud and the second fastening structure is configured to engage the second side of the stud.

56. (Previously Presented) The wall fastener of claim 34, wherein the stud wall includes a stud having a thickness measured in a direction perpendicular to a plane defined by the first primary surface, and the first portion of the fastener has a width greater than the thickness of the stud, whereby the first portion is secured to the mounting track at a location on the first portion offset from alignment with the stud.

57. (Previously Presented) The wall fastener of claim 34, wherein the wall fastener comprises a single unitary piece of material.